

STATE OF NEW YORK

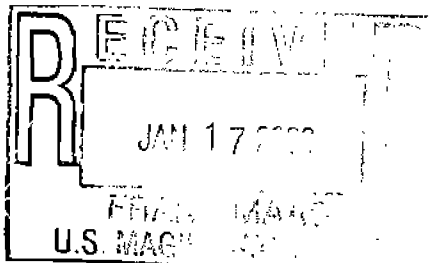
OFFICE OF THE ATTORNEY GENERAL

MEMO ENDORSED

ANDREW M. CUOMO
Attorney General

LESLIE G. LEACH
Executive Deputy Attorney General
Division of State Counsel

JUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau



[212-416-8561]

January 17, 2008

APPLICATION GRANTED
SO ORDERED

Frank Maas, USMJ

By Hand Delivery

Hon Frank Maas
United States Courthouse
500 Pearl Street, Rm. 740
New York, New York 10007

Re: McLaurin v. Spitzer, et al., 07-CV-03482 (PAC)(FM)

Your Honor:


I am an Assistant Attorney General in the Office of Andrew M. Cuomo, Attorney General of the State of New York, counsel for defendants in connection with the above-referenced matter. I write, respectfully, to request that defendant Jennifer Armstrong be included in defendants' motion to dismiss the amended complaint.

By letter, dated December 26, 2007, I forwarded to Your Honor a copy of Defendants' Memorandum of Law in Further Support of their Motion to Dismiss the Amended Complaint. At that time, defendants' motion to dismiss the amended complaint was fully briefed.

On January 3, 2008, plaintiff served the last named defendant, Jennifer Armstrong, with a copy of the summons and amended complaint. At this time, I respectfully request that defendant Armstrong be added to the fully briefed motion to dismiss the amended complaint. I believe that the arguments made as part of defendants' motion to dismiss encompass all claims against defendant Armstrong contained in the amended complaint and, therefore, there is no need to amend the fully briefed motion. Of course, if, in the course of reviewing the defendants' motion, Your Honor determines that additional briefing is warranted as to defendant Armstrong, defendants will supply that briefing as quickly as possible.

Thank you.

Respectfully submitted,



Neil Shevlin

Assistant Attorney General

cc: Norris J. McLaurin (by first class mail)

Pro se plaintiff